

84-71-A  
PETITION FOR ZONING VARIANCE  
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.33, 1. (3)(1), 1. To permit a rear yard setback of 24 feet in lieu of the required 50 feet.

The existing porch was deteriorating and had to be replaced. The new porch was constructed and enlarged to the same size as the immediate neighbors on both sides. If the variance is not granted, the financial expenditures to remove the present structure would be beyond our present capacity.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I or we agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s):  
(Type or Print Name) Paul E. Nolder  
Signature: (Type or Print Name) Alberto G. Nolder  
Address: (Type or Print Name) 8511 Willow Oak Road  
City and State: Baltimore, Maryland 21234  
Attorney for Petitioner: Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Paul E. Nolder  
8511 Willow Oak Rd. 668-8679  
Address: Baltimore, Maryland 21234  
City and State: Baltimore, Maryland 21234  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Paul E. Nolder  
8511 Willow Oak Rd. 668-8679  
Address: Baltimore, Maryland 21234  
City and State: Baltimore, Maryland 21234

ORDERED By The Zoning Commissioner of Baltimore County, this 5th day of July, 1983, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that proper notice be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 13th day of September, 1983, at 1:30 o'clock P.M.

BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.  
DIRECTOR

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #7 (1983-1984)  
Property Owner: Paul E. & Alberta G. Nolder  
E/S Willow Oak Rd. 60' S. from centerline  
Red Oak Rd.  
Acres: 18/18 x 87.91/88.03  
District: 9th

Dear Mr. Jablon:  
The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:  
Baltimore County highway and utility improvements exist and are not directly involved.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 7 (1983-1984).

Very truly yours,  
Robert A. Martin, P.E., Chief  
Bureau of Public Services

RAM:EM:FR:ss  
N-SE Key Sheet  
35 NE 11 Pos. Sheet  
NE 9 C Topo  
70 Top Map

RE: PETITION FOR VARIANCE  
E/S of Willow Oak Rd., 50' S of  
the Centerline of Red Oak Rd.,  
9th District  
PAUL E. NOLDER, et ux,  
Petitioners  
BEFORE THE ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 84-71-A

Mr. Commissioner:  
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, and of the passage of any preliminary or final Order in connection therewith.

John W. Hession, III  
People's Counsel for Baltimore County  
Rm. 223, Court House  
Towson, Maryland 21234  
494-2138

I HEREBY CERTIFY that on this 23rd day of August, 1983, a copy of the foregoing Order was mailed to Mr. and Mrs. Paul E. Nolder, 8511 Willow Oak Road, Baltimore, MD 21234, Petitioners.

John W. Hession, III  
John W. Hession, III

BALTIMORE COUNTY  
DEPARTMENT OF TRAFFIC ENGINEERING  
TOWSON, MARYLAND 21204  
494-3550

STEPHEN E. COLLINS  
DIRECTOR

Mr. William Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. 275, 276, 1, 4, 5, 6, 7, 8, 9, 10, and 11. ZAC-Meeting of July 5, 1983.  
Property Owner:  
Location:  
Existing Zoning:  
Proposed Zoning:

Acres:  
District:  
Dear Mr. Hammond:  
The Department of Traffic Engineering has no comments for item numbers 275, 276, 1, 4, 5, 6, 7, 8, 9, 10, and 11.

Michael S. Flanagan  
Traffic Engineer Assoc. II

MSF/ccm

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 2, 1983

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204  
000  
Nicholas B. Connodari  
Chairman

Mr. & Mrs. Paul E. Nolder  
8511 Willow Oak Road  
Baltimore, Maryland 21234

RE: Item No. 7 - Case No. 84-71-A  
Petitioner - Paul E. Nolder, et ux  
Variance Petition

Dear Mr. & Mrs. Nolder:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your proposal to "legalize" the setback of the existing open porch in the rear, this hearing is required. As indicated in your reasons for the variance, the properties on either side have open porches similar to yours.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Connodari, Chairman  
Nicholas B. Connodari, Chairman  
Zoning Plans Advisory Committee

NBC:bsc  
Enclosures

William E. Hammond, Zoning Commissioner  
Office of Planning and Zoning  
Ian J. Forrest  
Zoning Variance Items

August 2, 1983

The Baltimore County Department of Health has reviewed the following zoning variance items, and has no specific comments regarding same:

- Item #275 - Steven J. & Theola S. Toole
- Item #2 - Jack Irvin Brown, et al
- Item #3 - Maryland Builders, Inc.
- Item #5 - Miles W. Martin
- Item #7 - Paul E. & Alberta G. Nolder
- Item #9 - Burton Country School

Ian J. Forrest, Director  
BUREAU OF ENVIRONMENTAL SERVICES

LJF/feh

BALTIMORE COUNTY  
DEPARTMENT OF PERMITS & LICENSES  
TOWSON, MARYLAND 21204  
494-3900

TED ZALESKI JR.  
DIRECTOR

July 28, 1983

Mr. William E. Hammond, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:  
Comments on Item # 7 Zoning Advisory Committee Meeting July 5, 1983 are as follows:

Property Owner: Paul E. & Alberta G. Nolder  
Location: E/S Willow Oak Rd. 60' S. from centerline of Red Oak Rd.  
Baltimore County, Md. 21204  
Proposed Zoning: Variance to permit a rear yard setback of 24' in lieu of the required 50'.

Acres: 18/18 x 87.91/88.03  
District: 9

The items checked below are applicable:

- A. All structure shall conform to the Baltimore County Building Code (BCBC) and other applicable codes.
- B. A building and/or other miscellaneous permits shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/are not required.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer seal are required to file a permit application.
- E. An exterior wall erected within 6'0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A fireproof door is required if construction is on the lot line. See Table 101, line 2, Section 107 and Table 102.
- F. Requested variance complies with the Baltimore County Building Code, Section 101.
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed complies with the height/area requirements of Table 505 and the required construction classification of Table 101.

Comments: See attached Code Memo #1 revised 8-9-82

NOTES: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room #122 (Plan Review) at 111 West Chesapeake Ave., 21204.

Very truly yours,

Charles E. Surban, Chief  
Plan Review

CEB:rrj  
FORM 01-82



Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of September, 1983, that the herein Petition for Variance(s) to permit a rear yard setback of 24 feet in lieu of the required 50 feet for the existing open porch, is hereby GRANTED, from and after the date of this Order, subject, however, to the approval of a site plan by the Office of Planning and Zoning.

*Jan M. H. Jones*  
Deputy Zoning Commissioner of  
Baltimore County

ORDER RECEIVED FOR FILING

DATE Sept. 14, 1983  
BY May Carpenter (Clerk)

BALTIMORE COUNTY BUILDING CODE

Effective 3-26-82  
Revised 6-9-82

RULES AND REGULATIONS

1981 BOCA SECTION 110.6

1979 1 & 2 Family, Section R-203

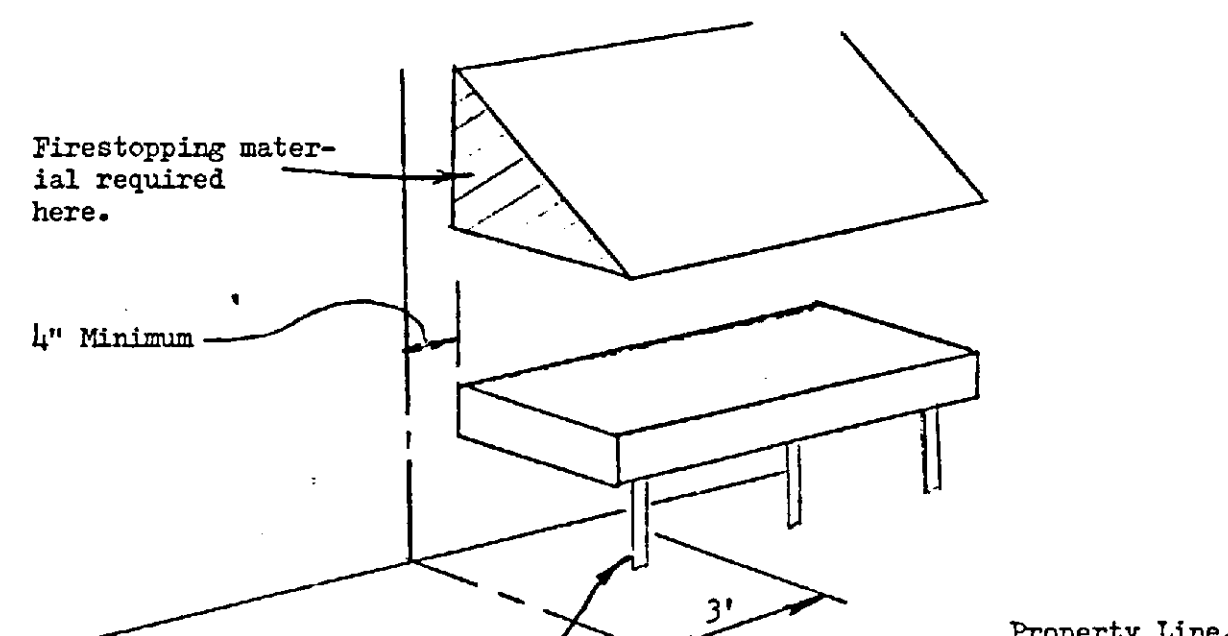
CODE MEMORANDUM #1

SUBJECT:

A. REAR PORCHES

Rear open porches may be constructed of combustible materials up to 3 feet from a property line without any additional fire protection requirements.

Rear open porches may be constructed of combustible materials up to 4" from a property line if all facing surfaces shown (see diagram) are protected by a layer of 5/8" fire code sheet rock, fire retardant treated plywood, or oth. approved firestopping material and any exposed supporting members within 3 feet are non-combustible, or fire retardant treated wood.



POST-USE  
PRESSURE  
TREATED WOOD

B. FRONT PORCHES

Front awnings and porches may be continuous across property lines and of combustible construction if:

1. They are properly fire stopped with non-combustible materials at each interior property line.

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: July 5, 1983

Mr. William E. Hammond  
Zoning Commissioner  
Baltimore County Office Building  
1111 West Chesapeake Avenue  
Towson, Maryland 21204

Z.A.C. Meeting of: July 5, 1983

RE: Item No: 275, 276, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11  
Property Owner:  
Location:  
Present Zoning:  
Proposed Zoning:

District:  
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,  
*Wm. Nick Petrovich*  
Wm. Nick Petrovich, Assistant  
Department of Planning

WNP/bp

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon  
Zoning Commissioner  
FROM: Norman E. Gerber, Director  
Office of Planning and Zoning  
SUBJECT: Paul E. Nolder  
et ux 84-71-A

Date: August 22, 1983

There are no comprehensive planning factors requiring comment on this petition.

*Norman E. Gerber*  
Norman E. Gerber  
Director of Planning and Zoning

NEG:JGH:cav

ZONING DESCRIPTION

Located on the east side of Willow Oak Road approximately sixty (60) feet south of the centerline of Red Oak Road and known as lot #6 as shown on Plat of Ridgeleigh recorded in the land records of Baltimore County in Liber 14, Folio 55. Also known as 8511 Willow Oak Road.

PETITION FOR VARIANCE

9th Election District

ZONING: Petition for Variance

LOCATION: East side of Willow Oak Road, 60 ft. South of the centerline of Red Oak Road

DATE & TIME: Tuesday, September 13, 1983 at 1:30 P.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a rear yard setback of 24 ft. in lieu of the required 50 ft.

The Zoning Regulation to be excepted as follows:  
Section 1B02.3C.1 (301.1) - rear yard setback in D.R. 10.5 zone

All that parcel of land in the Ninth District of Baltimore County

Being the property of Paul E. Nolder, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

August 30, 1983

Mr. & Mrs. Paul E. Nolder  
8511 Willow Oak Road  
Baltimore, Maryland 21234

Re: Petition for Variance  
E/S Willow Oak Rd., 60' S of c/l of  
Red Oak Rd.  
Case No. 84-71-A

Dear Mr. & Mrs. Nolder:

This is to advise you that \$51.44 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

*Arnold Jablon*  
ARNOLD JABLON  
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 121507

DATE: 12/83 ACCOUNT: R-01-615-000

AMOUNT: \$51.44

RECEIVED FROM: Paul E. Nolder  
FOR: Advertising & Posting Case #84-71-A

6 084\*\*\*\*\*51440 8062A

VALIDATION OR SIGNATURE OF CASHIER

August 17, 1983

Mr. & Mrs. Paul E. Nolder  
8511 Willow Oak Road  
Baltimore, Maryland 21234

NOTICE OF HEARING  
Re: Petition for Variance  
E/S of Willow Oak Rd., 60' S of  
the c/l of Red Oak Rd.  
Paul E. Nolder, et ux - Petitioners  
Case No. 84-71-A

TIME: 1:30 P.M.

DATE: Tuesday, September 13, 1983

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

*Arnold Jablon*  
Zoning Commissioner  
of Baltimore County

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 117689

DATE: 6/21/83 ACCOUNT: R-01-615-000

AMOUNT: \$35.00

RECEIVED FROM: Paul E. Nolder  
FOR: Advertising & Posting Case #84-71-A

6 073\*\*\*\*\*35000 8246A

VALIDATION OR SIGNATURE OF CASHIER



